

Thursday, May 24, 2007

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business	Last Vote: Evening
Five "One-minutes" Per Side	

**Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.**

### Floor Schedule and Procedure

- **H. Res. 437–Rule providing for consideration of H.R. 2316– Honest Leadership and Open Government Act of 2007 and H.R. 2317 - Lobbying Transparency Act of 2007 (Rep. Castor -Rules):** With respect to **H.R. 2317**, the rule provides a closed rule with one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The amendment in the nature of a substitute recommended by the Committee on the Judiciary shall be considered as adopted, modified by the following amendment:

The amendment provides that the statement which a covered registered lobbyist is required to provide to the recipient must include a notification that the recipient has the right to respond to the statement to challenge and correct any information included before the registered lobbyist files the report.

The rule provides one motion to recommit **H.R. 2317** with or without instructions.

With respect to **H.R. 2316**, the rule provides a structured rule with one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule considers as an original bill for the purpose of further amendment the amendment in the nature of a substitute recommended by the Committee on the Judiciary. The rule makes in order only those amendments printed in the Rules Committee report. The rule also provides one motion to recommit **H.R. 2316** with or without instructions. Finally, the rule amends the Rules of the House governing Member and staff attendance at charitable events. Debate on the rule will be managed by Rep. Castor, and consideration will proceed in the following order:

- One hour of debate on the rule.
- Possible vote on a Democratic motion to move the previous question. **Democrats are urged to vote yes on the motion.**

- Vote on adoption of the rule. **Democrats are urged to vote yes on adoption of the rule.**
- **H.R. 2316– Honest Leadership and Open Government Act of 2007 (Rep. Conyers – Judiciary/Rules/House Administration):** Pursuant to the rule, debate on the bill will be managed by Judiciary Committee Chair Rep. John Conyers, or his designee, and will proceed in the following order:
  - One hour of debate on the bill.
  - Debate and votes on amendments to the bill.
  - Possible debate and vote on a Republican motion to recommit the bill.
  - Vote on final passage of the bill. **Democrats are urged to vote yes on final passage.**
- **H.R. 2317 - Lobbying Transparency Act of 2007 (Rep. Van Hollen – Judiciary):** Pursuant to the rule, debate on the bill will be managed by Judiciary Committee Chair Rep. John Conyers, or his designee, and will proceed in the following order:
  - One hour of debate on the bill.
  - Possible debate and vote on a Republican motion to recommit the bill.
  - Vote on final passage of the bill. **Democrats are urged to vote yes on final passage.**
- **H. Res. 438- Rule providing for the consideration of the Senate amendment to the bill (H.R. 2206) making emergency supplemental appropriations and additional supplemental appropriations for agricultural and other emergency assistance for the fiscal year ending September 30, 2007, and for other purposes (Rep. Slaughter-Rules):** The rule makes in order a motion by the chairman of the Committee of Appropriations to concur in the Senate amendment with each of the two House amendments printed in the Rules Committee report. The rule provides one hour of debate on the motion equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule also provides that the Chair shall divide the question of adoption of the motion between the two House amendments and if both amendments are adopted, they will be engrossed into a single amendment to the Senate amendment to H.R. 2206. The rule further provides that during consideration in the Committee of the Whole of a bill making FY08 supplemental appropriations for military operations in Iraq or Afghanistan, before consideration of any other amendment, it shall be in order to consider an amendment only proposing to add to the bill the text of H.R. 2451. The rule provides that section 4(a) of the resolution does not apply to a regular FY08 Department of Defense appropriations bill. Debate on the rule will be managed by Rules Committee Chair Rep. Louise Slaughter, and consideration will proceed in the following order:
  - One hour of debate on the rule.
  - Possible vote on a Democratic motion to move the previous question. **Democrats are urged to vote yes on the motion.**

- Vote on adoption of the rule. **Democrats are urged to vote yes on adoption of the rule.**
- **H.R. 2206- Concur in the Senate Amendment with Amendments (Rep. Obey – Appropriations):** Pursuant to the rule, debate on the motion will be managed by Appropriations Committee Chair Rep. David Obey, or his designee, and will proceed in the following order:
  - One hour of debate on the motion.
  - Votes on adoption of amendments.

## **Bill Summary and Key Issues**

### **H.R. 2316-Honest Leadership and Open Government Act of 2007**

- **Closing the Revolving Door:**
  - Retains current 1 year ban on lobbying
  - Requires Members and senior staff to notify the Committee on Standards of Official Conduct within three days of engaging in any agreements or negotiations with regard to future employment or salary. The Members' notification will be publicly disclosed.
  - Requires Members and senior staff to excuse him/herself during negotiations regarding future employment from any matter in which there is a conflict of interest or an appearance of a conflict
  - **Ending the K Street Project**– Prohibits Members and senior staff from influencing employment decisions or practices of private entities for partisan political gain. Violators of this provision will be fined or imprisoned for a term of up to 15 years.
- **Full Public Disclosure of Lobbying.** The Bill expands and strengthens lobbying disclosure requirements.
  - Mandates quarterly, rather than semiannual, disclosure of lobbying report
  - Covers more lobbyists by reducing the contribution thresholds from \$5000 to \$2500 in income from lobbying activities and from \$20,000 to \$10,000 in total lobbying expenses.
  - Reduction of the contribution threshold of any organization other than client that contributes to lobbying activities to \$5000 (\$10,000 under current law)
  - Increases disclosure of lobbyist's contributions to lawmakers and entities controlled by lawmakers, including contributions to Members' charities, to pay the cost of events or entities honoring members, contributions intended to pay the cost of a meeting or a retreat, and contributions disclosed under FECA relating to reports by conduits
  - Requires the House Clerk to provide public Internet access to lobbying reports within 48 hours of electronic filing
  - Requires that lobbyist/employing firm provide a certification on disclosure report that they did not violate House/Senate gift ban rules
  - Makes it a violation of the LDA for a lobbyist to provide a gift or travel to a Member/officer or employee of Congress with knowledge that the gift or travel is in violation of House/Senate rules

- Requires the disclosure of lobbying activities by certain coalitions. (Exempts all 501(c) organizations)
- Requires lobbyists to disclose past Executive and Congressional employment
- Requires electronic filing of lobbying reports
- Establishes a public database of lobbyist disclosure information
- Enforcement of Lobbying Restrictions. HR 2316 increases civil penalties for violation of the Lobby Disclosure Act from \$50,000 to \$100,000 and adds criminal penalty of up to 5 years for knowing and corrupt failure to comply
- Increased Disclosure. HR 2316 requires Members to prohibit their staff from having any official contact with the Member's spouse who is a registered lobbyist or is employed or retained by such an individual and establishes a public database of Member Travel and Personal Financial Disclosure Forms

### **Anticipated Amendments to H.R. 2316**

**1. Conyers (MI) - Manager's Amendment.** This amendment would make technical corrections to the text of the bill. In addition, it would permit Members to omit personally identifiable information not required to be disclosed on the reports posted on the Internet by the Clerk.— 10 minutes

**2. Dreier (CA) -** The amendment adds language passed by the House as part of H.R. 4975 in the 109th Congress amending the post-employment restrictions contained in section 207(e) of title 18, United States Code. The amendment would direct the Clerk, in consultation with the Committee on Standards of Official Conduct, to inform a Member, officer, or employee who is subject to the post-employment restrictions on lobbying contacts contained in that section of the beginning and ending dates of the restriction. The Clerk must also inform each office of the House to which the restriction applies of the restriction. The amendment also adds a new provision directing the Clerk to place the information on its public Internet site in a format that is searchable, sortable, and downloadable. – 10 minutes

**3. Abercrombie (HI) -** This amendment places a one-year ban on flag and general officers of the Armed Services from receiving compensation from any company that does greater than \$50 million in business with the Department of Defense. This ban will take place 120 days from the enactment of the legislation. – 10 minutes

**4. Castle (DE) -** Amendment states that it is the sense of Congress that the use of a family relationship by a lobbyist who is an immediate family member of a Member of Congress to gain special advantages over other lobbyists is inappropriate. – 10 minutes

**5. Cardoza (CA) -** This amendment gives judges the discretion to increase the sentence for public officials convicted of bribery, fraud, extortion or theft of public funds greater than \$10,000. If a public official was convicted of one of the enumerated crimes, a sentencing judge would

have the discretion to double the length of a sentence (up to two years) for those public officials. Public officials are defined as Federal, State, or local elected officials; Presidential appointees; or a State or local official appointed by an elected state or local official. – 10 minutes

### **H.R. 2317-Lobbying Transparency Act of 2007**

- Requires a “registered lobbyist” who “bundles” two or more contributions totaling more than \$5,000 a quarter (\$40,000 an election cycle) made to a candidate or PAC to file quarterly reports with the House and Senate Clerks.
- A “bundled contribution” is limited only to contributions (1) which the lobbyist physically receives and forwards to the candidate or PAC, or (2) is credited to the lobbyist through a specific tracking system (such systems are typically in place in presidential campaigns, which code and track checks to trace them, such as the Bush “Pioneer” system).
- In order to insure that a registered lobbyist does not inadvertently disclose bundled contributions involving a candidate or PAC, the legislation requires the lobbyist to send the candidate or PAC a proposed statement first. This allows the candidate or PAC to correct any errors or misimpressions.
- Does not include the vague and undefined provisions of Senate bill, which would have applied to any “arranged” contribution by a lobbyist.

### **SUMMARY OF THE HOUSE AMENDMENTS TO THE SENATE AMENDMENT TO H.R. 2206 PROPOSED TO BE MADE IN ORDER UNDER THE RULE**

#### **Amendment #1**

- Funding and other items not requested by the President including funding for: Defense Health, Veterans Health, Base Realignment and Closure, Homeland Security, Gulf Coast recovery, and the State Children’s Health Insurance Program
- An increase in the minimum wage
- Small business tax cuts

#### **Amendment #2**

- The Warner language on Iraq, including benchmarks for success
- Funding requested by the President for: the Department of Defense, State, and foreign operations, and Gulf Coast recovery.

#### **Quote of the Day**

“A hero is someone who understands the responsibility that comes with his freedom.” ---Bob Dylan